

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
LAFAYETTE DIVISION**

In re INOTIV, INC. SECURITIES  
LITIGATION

Case No. 4:22-cv-00045-PPS-JEM

Judge Philip P. Simon

Magistrate Judge John E. Martin

**JOINT MOTION TO FILE OVERSIZED BRIEFS  
IN CONNECTION WITH DEFENDANTS' MOTION TO DISMISS  
THE FIRST AMENDED CLASS ACTION COMPLAINT**

Inotiv, Inc., Robert W. Leasure, Beth A. Taylor, John E. Sagartz, and Carmen Wilbourn (collectively, "Defendants") and Lead Plaintiff Oklahoma Police Pension and Retirement System ("Oklahoma Police" or "Lead Plaintiff") jointly and respectfully request permission to file oversized briefs in connection with Defendants' forthcoming motion to dismiss the First Amended Class Action Complaint for Violations of the Federal Securities Laws ("FAC"). In support of their motion, and pursuant to Local Rule 7-1(e), the parties state as follows:

1. On September 13, 2022, the Court appointed Oklahoma Police to serve as Lead Plaintiff pursuant to the Private Securities Litigation Reform Act ("PSLRA"). (ECF No. 37.)
2. Lead Plaintiff filed the FAC on November 23, 2022, alleging violations of the federal securities laws. (ECF No. 53.)
3. On November 29, 2022, the Court entered a briefing schedule directing Defendants to file any motion to dismiss the FAC by January 27, 2023. (ECF No. 55.) Lead Plaintiff then has until March 28, 2023, to file its opposition brief and Defendants have until April 28, 2023 to file their reply brief. (*Id.*)
4. The FAC is 135 pages, 326 paragraphs, asserts four counts, and references a number of SEC filings, public statements, and news articles. Due to the nature of this case and

the length of the FAC, the parties hereby request to file briefs in excess of the presumptive page limits in Local Rule 7-1(e).

5. Defendants respectfully request permission to file a memorandum in support of their forthcoming motion to dismiss the FAC of up to forty (40) pages.

6. Lead Plaintiff respectfully requests permission to file a brief in opposition to Defendants' forthcoming motion to dismiss the FAC of up to forty (40) pages.

7. Defendants respectfully request permission to file a reply brief in support of their forthcoming motion to dismiss the FAC of up to twenty (20) pages.

8. The parties will comply with Local Rule 7-1(e)(2) by including a table of contents, an issue statement, and a table of authorities in any brief that exceeds twenty-five (25) pages.

WHEREFORE, for the reasons set forth above, pursuant to Local Rule 7-1(e), the parties jointly and respectfully request that the following relief be granted: (1) Defendants may file a memorandum in support of their forthcoming motion to dismiss the FAC not to exceed forty (40) pages; (2) Lead Plaintiff may file a memorandum in opposition to Defendants' forthcoming motion to dismiss the FAC not to exceed forty (40) pages; and (3) Defendants may file a reply brief in support of their forthcoming motion to dismiss the FAC not to exceed twenty (20) pages.

Dated: January 24, 2023

Respectfully submitted,

/s/ Steven J. Buttacavoli

/s/ Carrie M. Stickel

**BERMAN TABACCO**

Steven J. Buttacavoli (pro hac vice)  
Patrick T. Egan (pro hac vice)  
Christina L. Gregg (pro hac vice)  
One Liberty Square Boston, MA 02109  
Telephone: (617) 542-8300  
Facsimile: (617) 542- 1194  
sbuttacavoli@bermantabacco.com  
pegan@bermantabacco.com  
cgregg@bermantabacco.com

*Lead Counsel for Plaintiff*

and

**COHEN & MALAD LLP**

Scott D. Gilschrist, Atty. No. 16720-53  
One Indiana Square Ste 1400  
Indianapolis, IN 46204  
Telephone: (317) 636-6481  
Facsimile:(317) 636-2593  
sgilchrist@cohenandmalad.com

*Local Counsel for Plaintiff*

**KATTEN MUCHIN ROSENMAN LLP**

Michael J. Diver (pro hac vice)  
Michael J. Lohnes (pro hac vice)  
Carrie M. Stickel (pro hac vice)  
525 West Monroe Street Chicago, IL 60661  
Telephone: (312) 902-5200  
Facsimile: (312) 902-1061  
michael.diver@katten.com  
michael.lohnes@katten.com  
carrie.stickel@katten.com

*Lead Counsel for Defendants*

and

**FROST BROWN TODD LLC**

Darren A. Craig, Atty. No. 25534-49  
201 North Illinois Street, Suite 1900  
Indianapolis, IN 46204  
Telephone: (317) 237-3800  
Facsimile:(317) 237-3900  
dcraig@fbtlaw.com

*Local Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I certify that on this 24th day of January, 2023, a true and correct copy of the foregoing document was served on all counsel of record through the Court's CM/ECF system.

*/s/ Carrie M. Stickel*

---

Carrie M. Stickel